

MAR 23 2022

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISIONCLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

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UNITED STATES OF AMERICA,

§ CRIMINAL NO. _____

Plaintiff.§
§ INDICTMENT
§

v.

§ [Vio: 18 U.S.C. § 247(c) – Hate Crime –
§ Damage to Religious Property;
§ 18 U.S.C. § 844(h) – Use of Fire to Commit
§ a Federal Felony;
§ 18 U.S.C. § 844(i) – Arson;
§ Notice of Government's Demand for
§ Forfeiture]**FRANKLIN BARRETT SECHRIEST,****Defendant.****THE GRAND JURY CHARGES:****COUNT ONE****Hate Crime - Damage to Religious Property**
[18 U.S.C. § 247(c)]

On or about October 31, 2021, in the Western District of Texas, Defendant,

FRANKLIN BARRETT SECHRIEST,

through the use and attempted use of fire, intentionally defaced, damaged, and destroyed, and attempted to deface, damage, and destroy religious real property, that is, Congregation Beth Israel, a synagogue located in Austin, Texas, because of the race and ethnic characteristics of any individual associated with that religious property.

In violation of Title 18, United States Code, Section 247(c) and (d)(3).

COUNT TWO
Use of Fire to Commit a Federal Felony
[18 U.S.C. § 844(h)]

On or about October 31, 2021, in the Western District of Texas, Defendant,

FRANKLIN BARRETT SECHRIEST,

knowingly used a fire to commit a violation of Title 18, United States Code, Section 247(c), a felony which may be prosecuted in a court of the United States, as set forth in Count One of this Indictment.

In violation of Title 18, United States Code, Section 844(h).

COUNT THREE
Arson
[18 U.S.C. § 844(i)]

On or about October 31, 2021, in the Western District of Texas, Defendant,

FRANKLIN BARRETT SECHRIEST

maliciously damaged and destroyed and attempted to damage and destroy, by means of fire, a building and real property of Congregation Beth Israel, a synagogue located in Austin, Texas, used in interstate and foreign commerce and in activities affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Section 844(i).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Arson Violations and Forfeiture Statutes

[18 U.S.C. §§ 844(h) & (i), subject to forfeiture pursuant to

18 U.S.C. §§ 844(c), 981(a)(1)(C) & (G), and 982(a)(2)(B),

as made applicable to criminal forfeiture by 28 U.S.C. § 2461(c)]

As a result of the criminal violations set forth in Counts Two and Three of the Indictment, the United States of America gives notice to the Defendant **FRANKLIN BARRETT SECHRIEST** of its intent to seek the forfeiture of certain properties upon conviction pursuant to Fed. R. Crim. P. 32.2 and 18 U.S.C. §§ 844(c), 981(a)(1)(C) & (G), and 982(a)(2)(B), as made applicable to criminal forfeiture by 28 U.S.C. § 2461(c), which state in pertinent part:

18 U.S.C. § 844. Penalties

* * *

(c)(1) Any explosive materials involved or used or intended to be used in any violation of the provisions of this chapter or any other rule or regulation promulgated thereunder or any violation of any criminal law of the United States shall be subject to seizure and forfeiture, and all provisions of the Internal Revenue Code of 1986 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5845(a) of that Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

18 U.S.C. § 981. Civil Forfeiture

(a)(1) The following property is subject to forfeiture to the United States:

* * *

(C) Any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of section . . . 844 . . . of this title or any offense constituting “specified unlawful activity” (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense.

* * *

(G) All assets, foreign or domestic—

(i) of any individual, entity, or organization engaged in planning or perpetrating any Federal crime of terrorism (as defined in section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property, and all assets, foreign or domestic, affording any person a source of influence of over any such entity or organization;

(ii) acquired or maintained by any person with the intent and for the purpose of supporting, planning, conducting, or concealing any Federal crime of terrorism (as defined in section 2332b(g)(5)) against the United States, citizens or residents of the United States of their property;

(iii) derived from, involved in, or used or intended to be used to commit any Federal crime of terrorism (as defined in section 2332b(g)(5)) against the United States, citizens or residents of the United States, or their property; or
(iv) of any individual, entity, or organization engaged in planning or perpetrating any act of international terrorism (as defined in section 2331) against any international organization (as defined in section 209 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4309(b))) or against any foreign Government. Where the property sought for forfeiture is located beyond the territorial boundaries of the United States, an act in furtherance of such planning or perpetration must have occurred within the jurisdiction of the United States.

18 U.S.C. § 982. Criminal forfeiture

* * *

(a)(2) The court, in imposing sentence on a person convicted of a violation of, or a conspiracy to violate—

(B) . . . 844 . . . of this title,
shall order that the person forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation.

A TRUE BILL:

ORIGINAL SIGNATURE
REDACTED PURSUANT TO
~~FEDERAL GOVERNMENT ACT OF 2002~~ -

ASHLEY C. HOFF
United States Attorney
Western District of Texas



MATTHEW DEVLIN
Assistant United States Attorney

KRISTEN M. CLARKE
Assistant Attorney General
U.S. Dept. of Justice, Civil Rights Division



ANDREW MANNS
Trial Attorney